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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 BENJAMIN EDWARD NANCE,

10 Plaintiff,

11 v.

12 THE BOEING COMPANY,

13 Defendant.

CASE NO. C18-988RSM

ORDER DENYING PLAINTIFF'S
MOTION FOR SERVICE OF SUMMONS
BY U.S. MARSHAL

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15 **I. INTRODUCTION**

16 This matter comes before the Court on Plaintiff's Motion for Service of Summons by
17 U.S. Marshal. Dkt. #9. Plaintiff is proceeding in this matter *in forma pauperis* and therefore
18 seeks assistance with service of the Summons and Complaint on Defendant. For the reasons
19 below, the Court DENIES the motion at this time, without prejudice to re-filing.

20 **II. DISCUSSION**

21 Federal Rule of Civil Procedure 4(c)(3) provides:

22 At the plaintiff's request, the court may order that service be made by a United
23 States marshal or deputy marshal or by a person specially appointed by the court.
24 The court must so order if the plaintiff is authorized to proceed *in forma pauperis*
25 under 28 U.S.C. § 1915 or as a seaman under 28 U.S.C. § 1916.
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1 The Rule requires the Court to order service by the Marshal when requested by a plaintiff
2 proceeding *in forma pauperis*. 28 U.S.C. § 1915(c); *Boudette v. Barnette*, 923 F.2d 754, 757
3 (9th Cir. 1991) (“An IFP plaintiff must request that the marshal serve his complaint before the
4 marshal will be responsible for such service.”). Plaintiff bears the burden of providing accurate
5 and sufficient information to effect service of the Summons and Complaint. *See Walker v. v.*
6 *Sumner*, 14 F.3d 1415, 1422 (9th Cir. 1994), *overruled on other grounds by Sandin v. Conner*,
7 515 U.S. 472 (1995). Plaintiff has not provided the Court with information indicating where the
8 Marshal is to properly serve Defendant.
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10 Accordingly, the Court declines to direct service at this time. This does not prevent
11 Plaintiff from filing another motion for service by U.S. Marshal containing accurate service
12 information for the Defendant. Further, if Plaintiff requires additional time to research and effect
13 service, the Court will also consider a motion for a good cause extension of time for an
14 appropriate period pursuant to Fed. R. Civ. P. 4(m).
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16 III. CONCLUSION

17 Having reviewed Plaintiff’s motion, and for the reasons stated above, the Court hereby
18 finds and ORDERS that Plaintiff’s Motion for Service by U.S. Marshal (Dkt. #9) is DENIED.

19 Dated this 18 day of September, 2018.

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22 RICARDO S. MARTINEZ
23 CHIEF UNITED STATES DISTRICT JUDGE
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